Previous references.

1903-04

(S Da)

File No. 13 f 03-04

Serial Nos. 1 to 3

Later references.

S Da 138 f 03-04
and 29 f 03-04

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 3

Part B. ~~for~~

SUBJECT.

Proposal that an officer may be permitted to hire a carriage at the end of a journey instead of a carriage and horse taken by Rail at Government cost and restriction placed on the Scope of Article 518 A of the Mysore Service Regulations.

Table of Contents

Sl No.	
1	From the Chief Engineer of Mysore. No. 5618 d/ 14. 10. 1903. Solicits a ruling from Government sanctioning the hire of conveyances in cases in which such would result in obvious saving to Government.
2	To the Chief Engineer in Mysore No. PWa/206 d/ 19. 12. 1903. Deem it inexpedient to sanction the above proposal, and draw his attention to Govt Pro: No. PWa 1166-1205 d/ 19. 12. 1903.
3	To the Heads of Departments and the Deputy-Commissioners of Districts. No. PWa 1166-1205 d/ 19. 12. 1903. Passes orders in re the conveyance of horses and carriages by rail at the cost of the State.

~~Office of the Dewan of Mysore.~~

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch P and A.

Subject Commutation of the actual expenses of taking the conveyance by rail, under art.: 518 A of the Mysore Service Regulations.

Letter No. 5618 d: 17th Oct 03 from the Chief Engineer of Mysore

The Chief Engineer, in the above letter states that if an officer who has to travel a long distance by rail and on arrival at his destination, has duties to perform requiring the use of conveyance, merely hires a conveyance instead of taking his horse and carriage by rail at Govt expense, he would save Govt a considerable ~~and~~ ~~saved~~ sum of money and solicits therefore a ruling from Govt

Sanctioning

-ces in cases where such would result in obvious saving to Govt. He submits for the information of Govt copy of docket No 2079/E d 25th Sept 1903 from the Examiner P. W. Accts of Mysore on the subject, in which the Examiner says that the charges of hire are not admissible. But Government have sanctioned such charges in the following and other cases:—

(i) To The Dy and Sessions Judge of Nagar for the carriage and horse engaged by him while at Mysore on the occasion of the Royal Marriage in June 1900. Flag A

(ii) To the Dy Commr Chitaldrug for a coach engaged while on duty at Mysore on the occasion of the Royal marriages in June 1900. Flag B

(iii) To the Sub Dn officer Chik-ballapur for a carriage engaged by him while at Mysore during the Installation of H. H. the Maharaja. Flag C.

Sub Dn Powers. In cases in which DMs 23/11/03 are allowed to take conveyance hires one at a less cost, there seems to be no objection to authorize the same.

GB

~~The~~

Ask for the Copy of Govt. of India ruling referred to by the Examiner.

Get this from the Examiner's office
92
15/11

(2) There was a file in which I noted that this article about allowing Rly fare for carriages was an exception that might be removed. Please let me see that also.

25/11/3

(1) Sub
Please see Flag D

(2) Please see Flags E and F in the linked file.

DM
28/11/03

DS
28/11/03

Orders solicited. I think the rule requires to be restricted & not extended; but the tendency of recent orders has been to extend it & interpret it liberally.

Mr Dewan

~~Please see above~~ Elsewhere 30/11/3
~~the procedure~~
0587 of the rules permit, I have no objection to the proposed notice

14393
1.12.03

order must be circulated
to all officers and their
~~...~~ attention called to
instructions therein laid down
& great responsibility is
~~...~~ thereby upon Sanctioning
officers by article note 2 to
Paragraphs 578 A and their
attention must be called
with also.

3. XII. 43

D.A. 5/12/43

1. 2. Drafts are subs to above orders.

2. It is submitted that the Government of India ruling clearly lays down that the cost of conveyance by rail should be sanctioned only when it is shown that public interests would suffer, if an officer sent on his horses or camp equipment by road or country cart or (in cases of distant transfers) if he sold and replaced them, instead of dispatching them by the quickest means at his

vogue in the State is to sanction
cost of conveyance in all cases
of transfer etc. If the Govt of
India ruling is circulated, it
would clash with the practice
in vogue. When similarly it
was tried in the year 1899 &
interpret art 5 1/2 A of the M.S.
Regulations in the light of the
Govt of India ruling and a
draft order put up accordingly,
as per order of the then 1st coun
-cillor, the present 2nd coun-
-cillor and the then Secretary
~~was~~ ordered as follows:—

"I have spoken to the 1st Cr.
about the undesirability of
issuing this. He agrees to this
being allowed to lie over till
called for"

(Ind) C. S.
22-11-99.

Flag Y.

Subd for further orders (with 2 drafts.)

DWB
8/12/03

JTB
9/12/03

9/12/3

To the Dewan.

14635
10.12.03.

16

0607

Bills are very reasonable orders — if they are not Council matters they might be issued.

10.XII.03

2. Hy

12/12/3 They do not seem to be Council matters as they merely expound an existing rule.

Irene Hy

17/12/3

Mysore Public Works Department,

Central Office,

Dated Bangalore 17th October 1903.

No. 5618

From,

W.Mc Hutchin Esquire, M.I.C.E.

Chief Engineer of Mysore.

To,

H.V.Nunjundaiyya Esquire, M.A, M.L.

Secretary to Government of H.H.the Maharajah of Mysore

General and Revenue Department.

Sir,

A question was raised as to whether the charges incurred by an officer in hiring a conveyance at the place to which he proceeds on duty for a very short period, say for a day or two, can be passed in addition to his daily allowance ~~and~~ or other travel-ling allowances, and the Examiner whose opinion was asked in the matter, thinks that such charges are not admissible for reasons given by him in his No.2079 dated 25th ultimo, (copy enclosed). Though the Examiner's reading of the rules is literally correct, yet it seems to me in some cases opposed to Government interests. If an officer, for instance, has to travel a long distance by rail, and on arrival at his destination has duties to perform requiring the use of a conveyance, he is entitled under the rules in force to take his horse and carriage by rail at Government expense; If on the other hand he merely hires a conveyance he would save Government a considerable sum of money, and I think that Govern-ment should reimburse him for carriage hire in such a case?

11. I have therefore the honor to request that you will be so good as to obtain a ruling from the Government sanctioning the hire of conveyances in cases where such would result in obvious saving to Government.

I have the honor to be,
Sir,
Your most obedient servant,

W.Mc H Hutchin

Chief Engineer of Mysore

Ast

PA-534

FROM

THE CHIEF ENGINEER OF MYSORE,
BANGALORE.

To

The Secretary to Government
of Mysore
General and Revenue Department

Dated Bangalore 17-10-1903

Despatched

Received

General No. 5618
No.

Enclosure No. 1

Requesting to obtain a ruling from the Government sanctioning the levie of conveyances in certain cases &c

Pencil
20.10.03
Read with refer
23-11-03.

Docket No.2079/E dated 25th September 1903, from the Examiner P.W.Accounts of Mysore, to the Chief Engineer of Mysore.

Referring to Chief Engineer's Memo No.5126 dated 16th instant forwarding for opinion Marikanave Superintending Engineer's No. 182 dated 7th idem enquiring whether carriage hire in addition to daily allowance is admissible during his stay in Bangalore on duty, has the honor to state that allowances under Article 518 of the Mysore Service Regulations are admissible only in respect of extra charges incurred in the interests of the Public service (vide note 2 to the article) and not provided for in the allowances ordinarily admissible under the Travelling allowance rules. Such extra charges are referable under the article in question only to the period of transit; once the carriage or horse as the case may be has reached the place where it is to be used, all charges in connedtion with them-whether they happen to be the property of the officer or not are rightly payable by the officer himself as expenses covered by the travelling allowance paid to him in the ordinary course. If an officer is able to hire a suitable conveyance at any place, it cannot ordinarily be in the interests of the Public Service that he should import a horse or any other means of conveyance; an officer in such a case is not accordingly entitled ordinarily to any allowances under Article 518A of the Mysore Service Regulations.

A copy of Government if India order No 1603/ex of 10-4-96 commenting upon the corresponding article (viz 1000) of the Civil Service Regulations is enclosed for information .

" True Copy"

M. Mc Intosh

Chief Engineer of Mysore.

A31

Read:—

Letter No 5618
d 17th October 1903 from
the Chief Engineer of
Mysore stating that
if an officer who has
to travel a long ~~dis~~
distance by rail and
on arrival at his
destination, has duties
to perform requiring
the use of conveyance,
merely hires a conveyance
instead of taking his
horse and carriage by
rail at Govt expense,
he would save Govt
a considerable sum
of money and ~~Solicit~~
Soliciting therefore a
ruling from Govt
Sanctioning the hire
of conveyances in
cases where such
would result in
obvious saving to
Govt

Order

V Order thereon PHA 1206 dy 19.12.03

The Govt of H.H. copy sent to Resr
the Maharaja deem it 22/12/03
inexpedient to sanction
the proposal of the Chief
Engineer. His attention
is drawn to Govt Pro:—
No PHA 1166-1205 19:12.03.

17/12/3
Secretary

10.XII.03

11/12/03

9/12/03.

To The Chief Engineer in Mysore

P+A 1166 — 1285 of 03

8/19.12.03

Order:—

The ~~Govt of H.H. the Maharaja are~~ pleased to ~~draw the~~ attention of the ~~Deputy Commissioners of Dts~~ ~~and the~~ Heads of Depts and the Dy Commrs of Districts is drawn ~~to~~ the Govt of India Order No. 1603 d 10th April 1896, printed ~~above~~ below and also ~~Act~~ note 2 to art: 518 A of the Mysore Service Regulations ~~and to direct that art 518A of the Mysore Service Regulations should be interpreted in the light of the above ruling of the Govt of India and~~ & they are requested to see that the ~~selection~~ to the conveyance of horses and ~~compassages~~ carriages by rail at the cost of the State is confined to cases falling within the limits ~~therein~~ laid

laid down by the Govt of India.

(Here enter G. of India
Order No. 1603 d 10th April 1896)

Print

17/12/3
Secretary

8/12/03.

9/12/03.

10. XII. 03.

To The Heads of Depts
The Dy Comrs of Dts.

G.I.No. 4312 1903
Ex.10-4-96.

In framing the rule contained in article 1093 and in allowing Local Governments to delegate their powers under that rule to heads of departments and other authorities, it was not the intention of the Government of India that officers should, when making ordinary journeys on tour or transfer, be entitled in addition to drawing travelling allowance, to convey their horses or camp equipment at Government expense, even when the nature of their duties requires them to maintain horses or camp equipment. The rule was intended to meet the more or less exceptional case of an officer requiring, for the discharge of his official duties, to make use of his horses or camp equipment in one place immediately or very shortly after having had to use them in the public service in another place, and who is therefore obliged in the interests of the public service to convey them by railway or steamer. It is only therefore when it is shewn that public interests would suffer if an officer sent on his horses or camp equipment by road or country cart, or (in cases of distant transfers) if he sold and replaced them, instead of despatching them by the quickest means at his command, that the cost of their conveyance by rail or steamer should be sanctioned. It also follows that the concession should not be made to an officer who sends forward his horses in order to avoid the expense of hiring the means of conveyance on a journey for which he draws travelling allowance, for that is the very charge which the travelling allowance is in such a case meant to defray. Nor can the rule be applied to meet the charges for conveyance to the officer's station of a horse or of equipment purchased from a place at a distance.

No. P. & A. 1166-1205, DATED BANGALORE, 19TH DECEMBER 1903.

ORDER.—The attention of the Heads of Departments and Deputy Commissioners of Districts is drawn to the Government of India Order No. 1603, dated 10th April 1896, printed below, and also to note 2 to Article 518 A of the Mysore Service Regulations, and they are requested to see that sanction to the conveyance of horses and carriages by rail at the cost of the State is confined to cases falling within the limits laid down by the Government of India.

"In framing the rule contained in Article 1093 and in allowing Local Governments to delegate their powers under that rule to Heads of Departments and other authorities, it was not the intention of the Government of India that officers should, when making ordinary journeys on tour or transfer, be entitled in addition to drawing travelling allowance, to convey their horses or camp equipment at Government expense, even when the nature of their duties requires them to maintain horses or camp equipment. The rule was intended to meet the more or less exceptional case of an officer requiring, for the discharge of his official duties, to make use of his horses or camp equipment in one place immediately or very shortly after having had to use them in the public service in another place, and who is therefore obliged in the interests of the public service to convey them by railway or steamer. It is only therefore when it is shown that public interests would suffer if an officer sent on his horses or camp equipment by road or country cart, or (in cases of distant transfers) if he sold and replaced them, instead of despatching them by the quickest means at his command, that the cost of their conveyance by rail or steamer should be sanctioned. It also follows that the concession should not be made to an officer who sends forward his horses in order to avoid the expense of hiring the means of conveyance on a journey for which he draws travelling allowance, for that is the very charge which the travelling allowance is in such a case meant to defray. Nor can the rule be applied to meet the charges for conveyance to the officer's station of a horse or of equipment purchased from a place at a distance."

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

To—The Heads of Departments.
The Deputy Commissioners of Districts.

Exd.—C.V.

1903-04

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL

PROCEEDINGS

Dated 19th December 1903

No. P. & A. 1166-1205

Passing orders *in re* the conveyance of horses and carriages by rail at the cost of the State.

SBP—29-12-03—300